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November 17, 2000

VIA HAND DELIVERY

Ms. Magalie R. Salas
Secretary
Federal Communications Commission
Portals II, Filing Center, TW-A325
Washington, D. C. 20554

Re: Opposition to Petition for Reconsideration

Dear Ms. Salas

Transmitted herewith, on behalf of The University of Illinois, licensee of noncommercial educational broadcast station WILL, Urbana, Illinois, are the original and four (4) copies of its Opposition to the Petition for Reconsideration filed by WGN Continental Broadcasting Company.

Should you have any questions with respect to this filing, please contact the undersigned.

Very truly yours

Wayne Coy, Jr.

Enclosure

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Before the
Federal Communications Commission
Washington, D. C. 20554

In the Matter of

Amendment of Section 73.622(b),
Table of Allotments
Digital Television Broadcast Stations
Urbana, IL

MM Docket No. 00-76
RM-9809

To: The Chief, Video Services Division

OPPOSITION TO PETITION FOR RECONSIDERATION

The University of Illinois ("WILL"), by and through its Counsel, hereby opposes the Petition for Reconsideration filed in this matter by WGN Continental Broadcasting Company ("WGN") seeking to overturn the grant to WILL of DTV Channel *9 in place of DTV Channel *33. The Petition is wholly inadequate, unsubstantiated by any credible showing or evidence, unsupported by any sworn affidavit or declaration, and woefully late in the process. In support of its opposition WILL offers the following:

1. On May 9, 2000, the Commission adopted a Notice of Proposed Rule Making in this matter noting that Channel *9 could be substituted for Channel *33 "in compliance with the principle community coverage requirements..." and the change "is acceptable under the 2 percent criterion for de minimis impact that is applied in evaluating requests for modification of initial DTV allotments." The Notice was released the next day. That was over six months ago. Comments were due July 3. WGN was silent.

2. On September 29, 2000, the Commission adopted a Final Order which was subsequently released on October 2, and published in the *Federal Register* on October 11. WGN was finally heard from on November 3.

3. Turning to the Petition, it states that it is supported by an article published in a trade publication of September 25, stating ...”(b)ased on recently available information suggesting (Emphasis ours) that a DTV station will cause co-channel interference to an NTSC station in excess or that predicted by the FCC’s OET 69 model, WGN submits...”. So far as counsel is aware, the Commission does not determine whether the public is or is not well served by unsworn, unsubstantiated, generalized information of this type. Especially when, at best, the information only “suggests” a problem. Moreover, there is not shred of data applying the “suggestions” to the case at hand or supporting the outlandish conclusion that the allotment should be reconsidered and reversed.

4. To the contrary, WILL supported its original petition with a sworn Engineering Statement and demonstrated full compliance with the Rules of the Commission. To grant an Opposition which is supported by a self-serving article from a trade publication, which only suggest a problem, would make a mockery of the Commission’s procedures.

Based on the arguments set forth herein, WILL respectfully opposes the Petition for Reconsideration of WGN.

Respectfully submitted
THE UNIVERSITY OF ILLINOIS

By: 

Wayne Coy, Jr.
Cohn and Marks
1920 N Street N. W.
Washington, D.C.

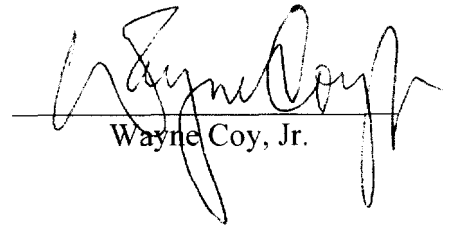
Its Counsel

November 17, 2000

Certificate of Service

I hereby certify that on this 17th day of November, 2000, I caused a true and correct copy of the foregoing Opposition to Petition for Reconsideration to be served on the below listed party by first class mail, postage prepaid, to the following address:

Thomas P. Van Waser
Sidley and Austin
1722 Eye Street N. W.
Washington, D. C. 20006



Wayne Coy, Jr.